

AGENDA MEMO

CITY COUNCIL MEETING OF: OCTOBER 7, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-35417 - APPLICANT: CITY OF LAS VEGAS - OWNER: CITY OF LAS VEGAS AND REGIONAL TRANSPORTATION COMMISSION

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 07/31/09, except as amended by conditions herein, with a minimum 3,500 square feet of retail.
3. A Waiver from the Downtown Centennial Plan Development Standards is hereby approved to allow the Parking Structure to contain no architectural compatibility with adjacent buildings where parking structures shall be designed as a part of the architectural form of the primary and/or surrounding buildings.
4. The applicant shall work with City staff to determine the most appropriate mapping action necessary to consolidate all existing parcels. The mapping action shall be completed and recorded prior to issuance of any building permits.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. Revised elevations shall be submitted and approved through a Minor Site Development Plan Review.

8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
14. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. Submit a Reversionary Map for this site or coordinate with the City Surveyor to determine an acceptable mapping method; comply with the recommendations of the City Surveyor.
17. Dedicate an additional 5 feet of right-of-way for a total half-street width of 45 feet on Main Street adjacent to Assessor Parcel Number #139-34-201-009 and dedicate a taper in accordance with standard drawing #201.1 to connect the existing right turn lane to the proposed dedication prior to the issuance of any permits.
18. Construct all incomplete half-street improvements on Main Street to meet Downtown Centennial standards adjacent to this site concurrent with development of this site.

19. Remove all substandard public street improvements and unused driveway cuts on Main Street adjacent to this site concurrent with development, if any, and replace with new improvements meeting current City Standards.
20. Extend public sewer in Main Street to the north edge of this site concurrent with development of this site, unless otherwise allowed by the City Engineer. Contact the Collection System Planning section of the Department of Public Works to discuss sewer lateral relocation requirements.
21. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
22. Landscape and maintain all unimproved right-of-way, if any, on Main Street adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
23. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.
24. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-35282, ZON-35283 and all other applicable site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 675 space, 310,000 square-foot Parking Structure with 4,430 square feet of retail space on 1.95 acres at 400 and 500 South Main Street. The proposed development is generally found to be consistent with all development standards and streetscape standards associated with the Downtown Centennial Plan with the exception of the requested Waiver. If denied, the proposed parking structure could not be built on the subject site. Also, the related Rezoning (ZON-35382) and (ZON-38383) applications would remain split zoned and incompatible with the current land use designation of C (Commercial). The proposed parking facilities will satisfy the parking requirements of the proposed City Hall, which is to be located east of the subject site. The current design of the parking structure fails to meet the Downtown Centennial Plan requirements, which requires that parking structures to be designed to be consistent with the surrounding buildings. The proposed parking structure fails to comply with the design characteristics of the proposed City Hall; however a Waiver of this requirement has been requested. Minor issues of compliance with development standards can be satisfied through adherence to the proposed conditions of approval; consequently, approval of the application is recommended.

Issues:

- Approval of the related Rezoning (ZON-35382) and (ZON-35383) from both C-M (Commercial/Industrial) and M (Industrial) to C-2 (General Commercial) is required to approve the subject Site Development Plan Review.
- A condition of approval has been added to revise the building elevations through a Minor Site Development Plan Review application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/16/64	The City Council approved a Rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) to C-2 (General Commercial) for approximately 230 acres generally located on property bounded by Main Street to the west, Bonanza Road on the north, Las Vegas Boulevard on the east, and Charleston Boulevard. The Planning Commission and staff recommended approval of the request.
08/01/91	A deed was recorded for a change of ownership at 500 South Main Street.

10/28/99	The Planning Commission approved Site Development Plan Review (SD-0028-99) for a proposed 30,000 square foot two-story office building, C-M (Commercial/Industrial), M (Industrial) Zone, on 3.50 acres on property located adjacent to the northwest corner of the intersection of Main Street and Bonneville Avenue.
01/12/04	A deed was recorded for a change of ownership at 400 South Main Street.
12/10/07	A Code Enforcement citation (#60486) was issued for business conducted on a vacant parcel at 500 South Main Street. Code Enforcement closed the case on 01/10/08.
02/18/09	The City Council approved a General Plan Amendment (GPA-32130) request to amend the trail alignment maps of the Master Plan Transportation Trails and Recreation Trails Elements to revise trail alignments. The Planning Commission and staff recommended approval of the request.
04/07/09	A Code Enforcement citation (#76531) was issued for razor wire, storage container, trucks with signage, lighting and parking on a dirt lot at 500 South Main Street. Code Enforcement closed the case on 04/15/09.
04/21/09	A Code Enforcement citation (#77366) was issued for illegal signage at 500 South Main Street. Code Enforcement closed the case on 05/06/09.
09/10/09	The Planning Commission recommended approval of companion items ZON-38352 and ZON-35383 concurrently with this application. The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #11/bts).
<i>Related Building Permits/Business Licenses</i>	
11/18/91	A Building Permit (#91126487) was issued for a remodel at 500 South Main Street. The permit expired on 11/18/92.
01/08/92	A Building Permit (#92132230) was issued for a re-roof at 500 South Main Street. The permit expired on 11/18/92.
11/10/94	A Business License (M06-00468) was issued for Miscellaneous Sales at 500 South Main Street. The license was marked out of business on 07/04/06.
11/05/06	A Business License (R05-00517) was issued for Restaurant-Take Out Only at 500 South Main Street. The license was marked out of business on 04/23/09.
11/05/06	A Business License (S20-00493) was issued for Secondhand Dealer Class 1-A at 500 South Main Street. The license was marked out of business on 06/10/09.
06/04/09	A Business License (D02-00100) was issued for Distressed Merchandise Sale at 500 South Main Street. The license was marked out of business on 06/10/09.
<i>Pre-Application Meeting</i>	
A pre-application meeting was done internally, as the applicant is the City of Las Vegas.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	

Field Check	
08/06/09	<p>A field check was completed on the indicated date. Planning and Development identified the following items:</p> <ul style="list-style-type: none"> The subject site contained an existing building with associated parking surrounded by a larger undeveloped parcel.

Details of Application Request	
Site Area	
Net Acres	1.95

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Retail and Vacant	C (Commercial)	C-M (Commercial/Industrial) and M (Industrial)
North	Warehouse and Parking Lot	C (Commercial)	C-M (Commercial/Industrial) and M (Industrial)
South	Office	C (Commercial)	C-M (Commercial/Industrial) and M (Industrial)
East	Office/Retail/Motel	C (Commercial)	C-M (Commercial/Industrial) and C-2 (General Commercial)
West	Undeveloped [Approved Site Development Plan Review (SDR- 32128) and Site Development Plan Review (SDR- 16267)]	MXU (Mixed Use)	PD (Planned Development)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Downtown Centennial Plan – (Office Core)	X		N
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
Downtown Overlay District – (Office Core)	X		N
A-O Airport Overlay District – (200-Foot)	X		Y
Live/Work Overlay District	X		N/A

Trails – (Multi-Use Non-Equestrian Trail) and (Tortoise Trail)	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to the Las Vegas Downtown Centennial Plan, the following development standards apply to the subject proposal:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	1.59 Acres	Y
Min. Lot Width	100 Feet	235 Feet	Y
Min. Setbacks	70% of the first story façade shall align along the front property line	100% along Main Street	Y
Min. Setbacks <ul style="list-style-type: none"> • Front (east – Main Street) • Side (north property line) • Side (south property line) • Rear (west property line) 	N/A N/A N/A N/A	0 Feet 10 Feet 14.5 Feet 10.75 Feet	Y Y Y Y
Max. Lot Coverage	N/A	83%	Y
Max. Building Height	N/A	64.9 Feet	Y
Mech. Equipment	Screened	By Condition	By Condition

Title 19.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and parking requirements.

Pursuant to the Downtown Centennial Plan, the following streetscape standards apply:

Streetscape Standards	Required	Provided	Compliance
Right-of-Way Improvements	All streets shall have a five-foot amenity zone and a 10-foot wide sidewalk	All streets shall have a five-foot amenity zone and a 10-foot wide sidewalk	Y

North-South Streets	Major north-south streets (Main) shall be designed with Deglet-Noor Date Palms or similar type palms as the primary landscape element; min. height of 25 feet and spaced 30' o.c. Southern Live Oak, Shoestring Acacia, African Sumac, Ash and Pistache shade trees may be provided between the palm trees with a height of 15'.	25-foot high Canary Island Date Palm spaced at 30 feet on-center with 48-inch Fan Texas Ash trees.	Y
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Pursuant to the Downtown Centennial Plan, the following parking standards apply:

Parking Requirement - Downtown							
Use	Gross Floor Area or Number of Units	Base Parking Requirement			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Parking Structure	305,570 SF	N/A	N/A		657	18	
General Retail	4,430 SF	1:175	24	2			
TOTAL	310,00 SF		26		675		Y

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City. The analysis should take a number of factors into consideration when discussing parking availability, including pedestrian access, nearby parking structures, on-street parking, etc.

Waivers		
Requirement	Request	Staff Recommendation
Parking Structures shall be designed as a part of the architectural form of the primary and/or surrounding buildings and shall incorporate the same materials, finishes and proportions of the primary building.	Parking Structures to be designed without similar building materials to adjacent buildings.	Approval (By Condition)

ANALYSIS

The applicant is proposing a 310,000 square-foot parking structure, containing 675 total parking spaces with 18 spaces that are handicapped accessible, that is accessed via Main Street. The parking structure also includes; 4,430 square feet of retail space, which is to be located on the ground floor. The proposed parking structure is intended to serve as parking for the future City Hall facility, which is to be located east of the subject site on Main Street.

- **Site Plan**

Two trails are located adjacent to the west and east sides of the subject site. The Tortoise Trail is located on the east side of the subject site. The applicant has complied with the trail requirement by constructing the required 10-foot sidewalk pursuant to the Downtown Centennial Plan requirements. The west side of the subject site is indicated as a Multi-Use Non-Equestrian Trail adjacent to the Union Pacific Railroad. This trail is not required, as this trail alignment will be removed from the Master Plan through a future General Plan Amendment.

- **Waivers/Elevations**

The submitted elevations indicate a proposed height of 64.9 feet height with a total of four levels of parking. Each floor is indicated at a height of approximately 12 feet in height. The elevations are indicative of a typical parking structure, which utilizes colored concrete on the exterior of the building. The submitted elevations fail to comply with the Downtown Centennial Plan requirements by being architecturally incompatible with the proposed City Hall facility. Parking structures within the Downtown Centennial Plan are required to be architecturally compatible with adjacent buildings. A Waiver of this requirement has been requested by the applicant. Staff has added a condition of approval to the staff report, which requires that the applicant submit revised building elevations prior to the issuance of building permits, to the satisfaction of the Planning and Development Department.

- **Streetscape Plan/Landscape Plan**

The landscape plan depicts a 10-foot wide sidewalk and five-foot amenity zone along all street fronts, with the exception for the plaza area as previously noted. The sidewalk treatment shall conform to the Downtown Centennial Plan standards. The proposed trees for the amenity zones conform to the size and spacing requirements listed by the Centennial Plan. Perimeter landscaping is not required for all projects within the Downtown Centennial Plan area. The applicant has provided perimeter landscaping on the north, south and west property lines with Acacia, Crape Myrtle and Chitalpa trees 20 feet on-center.

FINDINGS

The following findings must be made for an SDR:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed development is compatible, as conditioned, with adjacent and future development and is compatible with uses in the Downtown Centennial Plan Area.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed development is consistent with the General Plan, and is generally consistent with Title 19 and the Downtown Centennial Plan. A Waiver has been requested by the applicant for the development, but the requested deviations are generally minor in nature and are appropriate based on the proposed use.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The proposed parking garage is accessed from Main Street, which is designated as a 100-foot Primary Arterial by the Master Plan of Streets and Highways. Main Street will provide adequate access to the parking garage.

- 4. Building and landscape materials are appropriate for the area and for the City;**

The proposed building materials, as conditioned, are appropriate for the area and for the City of Las Vegas. The proposed landscape materials are consistent with the Downtown Centennial Plan Streetscape requirements.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The proposed parking garage elevations are not harmonious or compatible with adjacent approved developments. A condition of approval has been added to require a Minor Site Development Plan Review to ensure that elevations are compatible and harmonious with adjacent development.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The proposed parking garage will be subject to final Building and Safety and Planning and Development inspections; therefore this development will not compromise the public health, safety or welfare.

PLANNING COMMISSION ACTION

The Planning Commission amended condition #2 as shown to which the applicant agreed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

ASSEMBLY DISTRICT 6

SENATE DISTRICT 3

NOTICES MAILED 38 by City Clerk

APPROVALS 0

PROTESTS 0